

DEC 13 2001 09:30 FR FINNEGAN HENDERSON 202 408 4400 TO 7037465057

P.07

Dec-12-2001 01:27pm From-GERON CORP

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T-499 P.007/008 F-836

Serial No.: 09/658,862

the application transmittal letter. The incorporation by reference statement can only be relied upon to permit the entering of a portion of the prior application into the continuation or divisional application when the portion of the prior application has been inadvertently omitted from the submitted application papers in the continuation or divisional application. The inclusion of this incorporation by reference of the prior application(s) will permit an applicant to amend the continuation or divisional application to include any subject matter in such prior application(s), without the need for a petition provided the continuation or divisional application is entitled to a filing date notwithstanding the incorporation by reference.

The instant continuation application was filed on September 8, 2000, under 37 C.F.R. § 1.53(b). U.S. Application Ser. No. 08/803,165 was incorporated by reference in applicants' September 8, 2000, transmittal letter for the instant continuation application. Enclosed Figure 1 corresponds to the drawing, as originally filed, in U.S. Application Ser. No. 08/803,165. Therefore, no new matter enters by the addition of this figure to the application.

Applicants respectfully request that submission of Formal Drawings be held in abeyance until the application is allowed.

Claims 35-44 are fully supported throughout the specification. For example, applicants' specification supports the recitation of embryos and mammals that have the same set of chromosomes as a non-human, non-embryonic mammal of the same species. Nuclear transfer from a diploid cell inserts a nucleus containing a set of chromosomes into a recipient cytoplasm. Since the nucleus comes from a single non-embryonic mammal, the resultant progeny and the progenitor have the same set of chromosomes. The specification describes that nuclear transfer allows the production of genetically identical individuals. (Specification at 1-2, bridging paragraph.) The specification indicates that the invention is useful as a means for cloning animals, and that many different cells can be used for nuclear transfer. (*Id.* at 5, lines 14-28, and at

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8, lines 13-27.) The specification indicates that animals produced by nuclear transfer from a source of genetically identical cells share the same nucleus, but may differ in their oocyte contribution. (*Id.* at 18-19, bridging paragraph.)

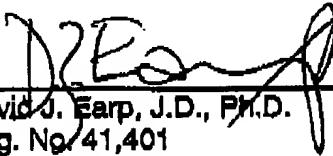
No new matter is introduced by this amendment. Upon entry of this amendment, claims 35-44 are pending in this application.

Applicants respectfully submit that this application is now in condition for allowance. If the Examiner believes that issues remain to be addressed before a Notice of Allowance, applicants respectfully request that the Examiner contact the undersigned to discuss any outstanding issues.

Respectfully submitted,

Dated: December 12, 2001

By: _____


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